

Application No. 09/500,473	Applicant(s) KEMP ET AL.	
Examiner Robert Madsen	Art Unit 1761	

Status of Application: _____

(3) _____.

(4) _____.

Time: *N/A*

☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Part I.

under 35 USC 102 (b), 102 (e) and 103(a)

1,4-9,11-13,39-41,79

Basel et al., *Wagner, Overton, and Wurzbürger et al.*

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner stated, that while the rejection of claims 12, 13, 39-41 made under 35 USC 103(a) and the rejection of claims 1,4-9,11 made under 102 (e) have been overcome, the rejection of claims 1,4-9,11 under 102(b) as being anticipated by Basel et al. evidenced by Wagner has not been overcome and the rejection of claim 79 under 103(a) as being obvious over Basel et al. evidenced by Wagner.. The Examiner maintains that the food of Basel et al. inherently comprises an AGIIS for the reasons stated in the Office Action mailed May 6, 2004, especially since the term "comprising" does not exclude the product from having the reactants or other products in addition to the AGIIS. Examiner proposed canceling claims 1,4-9,11, and 79 to place the application in condition for allowance, with claims 12,13,39-41 being allowed. .